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**KOPPERS INC. RESPONSE TO  
U.S. EPA  
CERCLA SECTION 104(e)  
INFORMATION REQUEST**

**JANUARY 15, 2009**

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**Please note:** This Information Request includes instructions for responding to this request and definitions of words such as "Respondent," "Property," "Material," "Identify," and "Investigation Area" used in the questions. Please provide responses to all the questions in this Information Request for each Property identified in response to Question 4 of Section 2.0, when appropriate. You must answer the Questions in this Information Request related to properties or facilities outside the Investigation Area if Question 4, Section 2.0 specifically instructs you to do so. For each response clearly identify the Property or Properties to which the response applies.

**BACKGROUND:**

Although the information request directed to Koppers Inc. ("Koppers") requests information dating back to 1937, Koppers' first involvement with any property within the Portland Harbor Superfund Site occurred as a result of the acquisition of certain assets from Koppers Company, Inc., which is now known as Beazer East, Inc ("Beazer"). Although Koppers has conducted a thorough search of all of its files and has discovered some documents which predate its acquisition of the assets from Beazer, the response from Beazer should be reviewed for any pre-December 28, 1988 information. Those documents which were discovered in Koppers' possession and which predate the acquisition of certain assets from Beazer are provided in response to this Information Request.

**GENERAL OBJECTIONS:**

1. Koppers objects to USEPA's statement that "incomplete, evasive or ambiguous answers shall constitute failure to respond . . ." in that Koppers has no way to determine, in advance, which types of answers USEPA will deem to be incomplete, evasive or ambiguous. Koppers has made a good faith effort to provide complete, forthright and unambiguous answers.
2. Koppers objects to USEPA's statement that "regardless of the assertion of any privilege, any facts contained in the documents which are responsive to the information request must be disclosed in your response . . ." as contrary to law. Attorney/client privileged

communications do not lose their privileged status because they contain factual information, and the entirety of any privileged communication is protected from disclosure, even the factual information contained therein. Koppers has made a good faith effort to disclose relevant facts within its possession.

3. Koppers objects to USEPA's definition of "business activities" as overly broad, unduly burdensome and oppressive.
4. Koppers objects to USEPA's definition of the term "material" because it includes "all raw materials, commercial products, wastes, oil, petroleum, chemicals, substances or matter of any kind." This definition is so vague, ambiguous, overly broad and unduly burdensome that it could be interpreted to mean literally anything. Koppers has made a good faith effort to disclose relevant facts within its possession which meet the intent and purpose of the request.
5. Koppers objects to USEPA's definition of "property(ies)" on the grounds that it includes "personal property" that Koppers currently or formerly "leased, managed, operated on, had an easement on or otherwise had an affiliation with" and also includes such "properties outside the investigation area." As such, the definition is vague, ambiguous, overly broad and unduly burdensome. Answers in this response are limited to immovable property and fixtures thereon.

#### **PRELIMINARY STATEMENT:**

##### **Koppers' Operations at the Northwest Terminal:**

As set forth in detail below, Koppers currently leases a parcel of property from the Northwest Natural Gas Company ("GASCO"). This same parcel was leased by Beazer from 1965 through 1988. Koppers has continuously occupied and used this real estate since it acquired certain assets from Beazer in December 1988. This property is referred to herein as the "Northwest Terminal."

In Beazer's response to USEPA's Information Request directed to that company, Beazer has set forth the history of the GASCO property which includes a full 85 acre property and facilities on and surrounding the Northwest Terminal. Koppers has information and belief that Beazer's statement of the historical uses of the GASCO property to process coal into coke, to manufacture gas and to produce other coke related materials such as light oil and tar is accurate.

Koppers has conducted its activities at the Northwest Terminal in an environmentally responsible manner in substantial compliance with all federal and state issued environmental permits. The only wastewater effluent from the parcel is from stormwater runoff from containment areas around tanks and loading stations. Boiler water blow down is also discharged. Koppers collects this stormwater, pumps it into tanks and treats it through an oil/water separator before discharging the water to the City of Portland's Publicly Owned Treatment Works ("POTW").

Air emissions at the facility are minimal as no manufacturing occurs at the terminal. Corporate environmental resources are available and are frequently used by the Northwest Terminal manager to aid in understanding and complying with the myriad of statutes, regulations and permits. The corporate environmental staff also provides training and conducts audits of each of Koppers' facilities, including the Northwest Terminal on a periodic basis. The intent is to continually improve environmental performance so as to limit the Northwest Terminal's effect on the environment. As an example, Koppers has moved primarily to liquid pitch to avoid the possible impact of dust created by solid pitch. The facility from time to time may receive solid pitch on-site. The Northwest Terminal has also undertaken extensive housekeeping and tank removal operations as literally dozens of tanks have been taken out of service.

Koppers understands that the immediate focus of the USEPA's efforts is on conditions on and immediately adjacent to the Willamette River. At no time has Koppers owned or leased any facilities that are adjacent to or located along the Willamette River. The Northwest Terminal is located approximately 2,000 feet from the river itself and is separated from the river by GASCO's property and facilities. Koppers has permission to use, along with other companies, a dock owned and controlled by GASCO. Although Koppers has made improvements at the GASCO dock, those improvements have always been with the approval of GASCO and in accordance with the lease terms.

## **INFORMATION REQUEST QUESTIONS**

### **Section 1.0 Respondent Information**

1. Provide the full legal, registered name and mailing address of Respondent.

**Response:**

Koppers Inc., 436 Seventh Avenue, Pittsburgh, PA 15219

2. For each person answering these questions on behalf of Respondent, provide:
  - a. full name;
  - b. title;
  - c. business address; and
  - d. business telephone number, electronic mail address, and FAX machine number.

**Response:**

T. J. Turner  
Terminal Manager, Northwest Terminal  
Koppers Inc.  
7540 NW Saint Helens Road  
Portland, OR 97210-3663  
Telephone: 503-286-3681  
E-mail: TurnerTJ@koppers.com  
FAX: 503-285-2831

Jack Spicuzza  
Environmental Resources Manager  
Koppers Inc.  
436 Seventh Avenue  
Pittsburgh, PA 15219  
Telephone: 412-227-2248  
E-mail: SpicuzzaJP@koppers.com  
FAX: 412-227-2423

Cynthia Laquinta  
Certified Paralegal  
Koppers Inc.  
436 Seventh Avenue  
Pittsburgh, PA 15219  
Telephone: 412-227-2113  
E-mail: LaquintaCA@koppers.com  
FAX: 412-227-2423

3. If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number, fax number, and, if available, electronic mail address.

**Response:**

Jack Spicuzza  
Environmental Resource Manager  
436 Seventh Avenue  
Pittsburgh, PA 15219  
Telephone: 412-227-2248  
E-mail: SpicuzzaJP@koppers.com  
FAX: 412-227-2423

**Section 2.0 Owner/Operator Information**

4. Identify each and every Property that Respondent currently owns, leases, operates on, or otherwise is affiliated or historically has owned, leased, operated on, or otherwise been affiliated with within the Investigation Area during the period of investigation (1937 – Present). Please note that this question includes any aquatic lands owned or leased by Respondent.

**Response:**

Since December 28, 1988 Koppers has leased approximately 6.4 acres of property located at 7540 NW Saint Helens Road, Portland, OR 97210-3663, herein referred to as the "Northwest Terminal." The property is owned by GASCO, 220 NW Second Ave., Portland, OR 97209. The property is bounded by Saint Helens Road (Oregon Route 30) to the south, GASCO property (which extends to the shore of the Willamette River) to the north, the GASCO Liquified Natural Gas Plant to the west, and a service road separating Koppers property from Wacker Siltronic Corporation to the east.

Additionally, Koppers has an easement or right of way which permits the placement of a pipeline on GASCO property from a dock owned by GASCO to the Koppers Northwest Terminal. Koppers also has the right to use the dock located at the GASCO Terminal on the Willamette River. Since its lease of the Northwest Terminal in 1988, Koppers has always contracted with a third party to provide marine services for the ships handling Koppers materials utilizing the GASCO dock. This dock is also used by several other entities as it is used as a barge refueling station and by other companies such as Chevron.

5. Provide a brief summary of Respondent's relationship to each Property listed in response to Question 4 above, including the address, Multnomah County Alternative Tax lot Identification number(s), dates of acquisition, period of ownership, lease, operation, or affiliation, and a brief overview of Respondent's activities at the Properties identified.

**Response:**

Koppers has leased the Property located at 7540 NW Saint Helens Road, Portland, OR 97210 from December 28, 1988 to present. Koppers utilizes the property for loading and unloading, storing, and selling coal tar pitch.

The real estate tax bills paid by Koppers show Account Numbers R-96113-0410 and R-96112-1110.

Koppers utilizes the GASCO dock for the loading and unloading of shipments of coal tar pitch. Koppers currently receives 4 shipments per year of coal tar pitch by ship.

6. Identify any persons who concurrently with you exercises or exercised actual control or who held significant authority to control activities at each Property, including:
- a. partners or joint venturers;
  - b. any contractor, subcontractor, or licensor that exercised control over any materials handling, storage, or disposal activity on the Property; (service contractors, remediation contractors, management and operator contractors, licensor providing technical support to licensed activities);
  - c. any person subleasing land, equipment or space on the Property;
  - d. utilities, pipelines, railroads and any other person with activities and/or easements regarding the Property;
  - e. major financiers and lenders;
  - f. any person who exercised actual control over any activities or operations on the Property;
  - g. any person who held significant authority to control any activities or operations on the Property;
  - h. any person who had a significant presence or who conducted significant activities at the Property; and
  - i. any government entities that had proprietary (as opposed to regulatory) interest or involvement with regard to the activity on the Property.

**Response:**

- a. None
- b. Pacific Terminal Services, Inc.  
910 SW Spokane Street,  
Seattle, WA 98134

Pacific Terminal Services, Inc. ("PTSI") holds a contract with Koppers to perform terminal operator services at the GASCO Terminal.

c. None

- d. Utilities: As owner of the property GASCO has the legal right to permit utility easements, etc.  
Pipelines: Please see response to Question 18 for information regarding pipelines.  
Railroads: The Koppers leased Property is bordered on the East and the South by railroads. Additionally, the Burlington Northern Railroad holds an easement that permits the location and use of railroad tracks on the Koppers property.

e. None

- f. Northwest Natural Gas Company:  
220 NW Second Ave.  
Portland, OR 97209

GASCO is the lessor/landlord of the property where Koppers is located. As prescribed in the Lease Agreement, Koppers is not authorized to utilize the premises for any purpose (outside of purchasing, loading and unloading, storing, processing and selling coal tar, products derived from coal tar and petroleum pitch), without the prior written consent of GASCO.

g. See response to Question 6(f) re: GASCO

h. None

i. None

7. Identify and describe any legal or equitable interest that you now have, or previously had in each Property. Include information regarding the nature of such interest; when, how, and from whom such interest was obtained; and when, how, and to whom such interest was conveyed, if applicable. In addition, submit copies of all instruments evidencing the acquisition or conveyance of such interest (e.g., deeds, leases, purchase and sale agreements, partnership agreements, etc.).

**Response:**

Koppers leases the Property (*see produced Lease Agreement*), but holds no actual title to the Property, which is owned by GASCO.

8. If you are the current owner and/or current operator, did you acquire or operate the Property or any portion of the Property after the disposal or placement of hazardous substances, waste, or materials on, or at the Property? Describe all of the facts on which you base the answer to this question.

**Response:**

Koppers entered into a lease agreement for the Property with GASCO on December 28, 1988. Concurrently, Koppers entered into an Asset Purchase Agreement ("APA") with Beazer to purchase several of the business divisions of Beazer on December 28, 1988. Among the assets purchased in this transaction were the assets located at 7540 NW Saint Helens Road in Portland, Oregon, as well as substantially all of the intellectual property rights in and to the "Koppers" tradename. Pursuant to the APA, Beazer retained responsibility and liability for all Pre-Closing Environmental Claims and Pre Closing Environmental Cleanup Liabilities pertaining to the Assets transferred to Koppers under the APA.

The following is a list of those operations, which based on the documents provided by Koppers were conducted prior to 1988 and which are different from Koppers' operations.

- 1) Pre-1988, coal tar distillation occurred on the Property. The coal tar pitch distillation plant was closed in 1973 (and briefly reopened in 1976 for a period of 6 months).
  - 2) Creosote oil distribution operations occurred from 1966 through 1988.
  - 3) From 1966-1975, a land treatment area which was part of Beazer's permitted biological degradation system (referred to in documents as the oxidation spray field) was in use.
  - 4) Please reference response to question #71 for GASCO's environmental problems on the Property. The results of this waste management practice were that contaminants could potentially impact surface runoff water, soil or groundwater.
9. At the time you acquired or operated the Property, did you know or have reason to know that any hazardous substance, waste, or material was disposed of on, or at the Property? Describe all investigations of the Property you undertook prior to acquiring the Property and all of the facts on which you base the answer to this question.

**Response:**

Koppers was unaware of the disposal of any hazardous substance, waste or material at the Property when it began operations at the Property on December 28, 1988. There were no



environmental investigations of the Property conducted by Koppers prior to entering into the Lease Agreement with GASCO or the APA with Beazer. However, Koppers was aware of the fact that the Leased Property was a former Manufactured Gas Plant and that due to that prior usage it was understood that any excavated soils were to be tested to determine the proper disposal method.

10. Identify all prior owners that you are aware of for each Property identified in Response to Question 4 above. For each prior owner, further identify if known, and provide copies of any documents you may have regarding:
- the dates of ownership;
  - all evidence showing that they controlled access to the Property; and
  - all evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Property during the period that they owned the Property.

**Response:**

From the beginning of the period of investigation (1937) the Property has been owned by GASCO, then known as the Portland Gas and Coke Company. The Property was used as a location for a coal gasification plant on an approximately 120 acre parcel of land located along the west bank of the Willamette River. GASCO's current property comprises approximately one-third (or 47 acres) of the original parcel (of which 6.4 acres is leased by Koppers). The remaining two-thirds (or 73 acres), no longer owned by Northwest Gas Company or occupied by Koppers is currently owned by the Wacker Siltronic Corporation.

11. Identify all prior operators of the Property, including lessors, you are aware of for each Property identified in response to Question 4 above. For each such operator, further identify if known, and provide copies of any documents you may have regarding:
- the dates of operation;
  - the nature of prior operations at the Property;
  - all evidence that they controlled access to the Property; and
  - all evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Property during the period that they were operating the Property.

**Response:**

Name: Northwest Natural Gas Company ("GASCO")  
Dates of Operation: Owner (Pre-1937 – Present)

Operator (Pre-1937 – 1956)

Nature of Operation: A coal gasification plant was operated on the Property until 1956 by GASCO.

Hazardous Substance: Please see above response to Question 8.

Name: Beazer East, Inc (formerly Koppers Company, Inc.)

Dates of Operation: Operator (1966 – 1988)

Nature of Operation: Beazer operated a coal tar pitch distillation plant on the Property from 1966 – 1973 (and for 6 months in 1976). From 1973 until December 28, 1988 Beazer operated a terminal and brought in coal tar pitch to be delivered to customers. Additionally, creosote oil distribution operations occurred from 1966 throughout Beazer's operations.

Hazardous Substance: Please see above response to Question 8.

12. If not included in response to any of the previous questions, please describe the purpose and duration of each aquatic lands lease Respondent or the operator of Respondent's Property(ies) ever obtained from the State of Oregon and provide a copy of each application for and aquatic lands lease obtained.

**Response:**

Koppers has no aquatic land lease.

**Section 3.0 Description of Each Property**

13. Provide the following information about each Property identified in response to Question 4:
- a. property boundaries, including a written legal description;
  - b. location of underground utilities (telephone, electrical, sewer, water main, etc.);
  - c. location of all underground pipelines whether or not owned, controlled or operated by you;
  - d. surface structures (e.g., buildings, tanks, pipelines, etc.);
  - e. over-water structures (e.g., piers, docks, cranes, etc.);
  - f. dry wells;
  - g. treatment or control devices (e.g., surface water, air, groundwater, Resource Conservation and Recovery Act (RCRA), Transfer, Storage, or Disposal (TSD), etc.);
  - h. groundwater wells, including drilling logs;

- i. storm water drainage system, and sanitary sewer system, past and present, including septic tank(s) and where, when and how such systems are emptied and maintained;
- j. subsurface disposal field(s), Underground Injection Control (UIC) wells, and other underground structures (e.g., underground storage tanks (USTs); and where they are located, if they are still used, and how they were closed;
- k. any and all major additions, demolitions or changes on, under or about the Property, its physical structures or to the property itself (e.g., stormwater drainage, excavation work); and any planned additions, demolitions or other changes to the Property;
- l. all maps and drawings of the Property in your possession; and
- m. all aerial photographs of the Property in your possession.

**Response:**

- a. Koppers is located in Multnomah County in the city of Portland, OR, and is located on approximately 6.4 acres of leased property. The property is bounded by Saint Helens Road (Oregon Route 30) on the south, the Northwest Natural Gas Company property (which extends to the shore of the Willamette River) on the north, the Northwest Natural Gas Company Liquefied Natural Gas Plant on the west, and a service road separating Koppers property from Wacker Siltronic Corporation to the east.

The Legal Description of the Koppers Property is as follows:

**PARCEL I:**

The portion of Section 12 and 13, Township 1 North, Range 1 West of the Willamette Meridian lying within the W.W. Baker Donation Land Claim, in the City of Portland, County of Multnomah and State of Oregon, described as follow:

Beginning at the point of intersection of the centerline of the Spokane, Portland and Seattle Railroad and the East line of W.W. Baker Donation Land Claim; thence North 32°00' East, 162.55 feet to a fence corner at the true point of beginning; thence continuing North 32°00 East along a fence 456.40 feet to a fence corner; thence North 29°58'00 " West 150.40 feet; thence North 33°37'00" West 147.88 feet; thence North 49°51'00" West 139.00 feet to a hub; thence South 56°29'00 West 265.15 feet to a nail; thence North 33°13'00" West 260.70 feet to a railroad spike at a point known as point "A"; thence South 56°20'00" West 111.55 feet to a railroad spike; thence South 31°12'30" East 102.90 feet; thence South 56°46'00" West 38.57 feet; thence South 33°14'00" East 36.00 feet; thence South 56°46'00" West 9.00 feet; thence South 33°14'00" East 106.58 feet to a hub; thence South 56°24'30" West 54.40 feet; thence South 33°05'30" East 277.30 feet;

thence North 56°51'00 East 34.30 feet; thence South 75°03'00" East 34.55 feet; thence South 47°41'30" East 190.00 feet to a nail; thence South 35°16'30" East 140.05 feet to the true point of beginning.

EXCEPT a 30 foot strip of land parallel and contiguous with the East line of the W.W. Baker Donation Land Claim in Sections 12 and 13, Township 1 North, range 1 West said strip of land being 30 feet Westerly of the said Donation Land Claim line and more particularly described as; Beginning at a point 162.55 feet North 32° East from the intersection of the centerline of the Spokane, Portland, and Seattle Railway with the East line of the said Baker Donation Land Claim; thence North 32° East 456.4 feet; thence North 29°58' West 34 feet; thence South 32° West 459.8 feet; thence South 35°16'30" East 32.5 feet to the point of the beginning. ALSO EXCEPT rights of the public to the City street.

Parcel II:

That portion of Section 12, Township 1 North, Range 1 West of the Willamette Meridian lying within the W.W. Baker Donation Land Claim, in the City of Portland, County of Multnomah and State of Oregon, described as follows:

Beginning at a point 769.61 feet North and 365.57 feet West of a tack marking the point of intersection of the centerline of the Spokane, Portland and Seattle Railroad with the Southeasterly line of the W.W. Baker Donation Land Claim in said Township and Range; thence South 56°46' West 70.52 feet; thence South 33°05'30" East 149 feet; thence North 56°24'30" East 54.4 feet; thence North 25°44'30" East 10.51 feet; thence North 33°14' West 106.58 feet; thence North 56°46' East 9 feet; thence North 33°14' West 36 feet to the point of beginning.

- b. Maps identifying the location of underground utilities are being produced.
- c. See response to Question 18. Koppers installed a new pipeline transporting liquid from the GASCO Terminal to its facilities in 1999. Information and maps pertaining to the new and old pipeline(s) are being produced.
- d. A map detailing the surface buildings is being produced. The buildings on site include an office, a maintenance shop, a boiler house, a service room where employees change clothes and shower, a control room, two pitch storage buildings and an electrical room.
- e. Koppers utilizes a dock, which is owned by Northwest Natural Gas, located at the GASCO Terminal on the Willamette River. A map detailing the dock, as well as apparatuses used in conjunction with dock support, is being produced. This dock is used by PTSI to provide marine services to many other companies.

- f. None known.
  - g. Koppers operates an oil water separator prior to the discharge of wastewater to the City of Portland's POTW. A fume control system pulls fumes from tanks T-68, T-200 and T-65 and then washes the fumes through a fluid system. The wash is then recycled back to another Koppers location where manufacturing operations exist.
  - h. None known
  - i. All sanitary waste is discharged to the City of Portland's POTW. Stormwater is collected in a tank, processed through an oil/water separator and currently is discharged to the City POTW. Prior to late 2008 Koppers discharged the stormwater in batches (after treatment through the oil/water separator) pursuant to an NPDES permit. The permitted outfall was into a culvert which leads to a drainage ditch which in turn discharged to Doane's Creek about 150 feet from Koppers' outfall. Doane's Creek then meanders about 1.5 miles with several other industries discharging into Doane's Creek before it enters the River. Doane's Creek also collects the run off from the highway adjacent to Koppers' Property and from the homes along the hillside above the highway. A map illustrating this process is being produced.
  - j. None known.
  - k. See response to question # 20 regarding construction of melter, pitch storage building, pipeline, and removal of tanks.
  - l. All maps and drawings are being produced.
  - m. All aerial photographs are being produced.
14. For Properties adjacent to the Willamette River, provide specific information describing the river-ward boundary of private ownership and where state aquatic lands and/or state-management jurisdiction begins. Provide a map that delineates the river-ward boundary of each Property.

**Response:**

Koppers does not own any real property adjacent to the Willamette River but it does own a pipeline which runs from a dock on the Willamette River to the Northwest Terminal.

15. For each Property, provide all reports, information or data you have related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about each Property. Provide copies of all documents containing such data and information,

including both past and current aerial photographs as well as documents containing analysis or interpretation of such data.

**Response:**

The requested reports, information and data are being produced.

16. Identify all past and present solid waste management units or areas where materials are or were in the past managed, treated, or disposed (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) on each Property. For each such unit or area, provide the following information:
- a. a map showing the unit/area's boundaries and the location of all known units/areas whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units/areas;
  - b. dated aerial photograph of the site showing each unit/area;
  - c. the type of unit/area (e.g., storage area, landfill, waste pile, etc.), and the dimensions of the unit/area;
  - d. the dates that the unit/area was in use;
  - e. the purpose and past usage (e.g., storage, spill containment, etc.);
  - f. the quantity and types of materials (hazardous substances and any other chemicals) located in each unit/area; and
  - g. the construction (materials, composition), volume, size, dates of cleaning, and condition of each unit/area.

**Response:**

Koppers is producing documents responsive to this request and those documents identify in detail the information about the impacted areas. GASCO has investigated and identified areas where materials are or were in the past managed, treated, or disposed. Most documents are already in USEPA's possession as indicated on the GASCO Technical Documents web portal. Please also see the documents produced by Koppers in response to Sections 6 and 7 of this Information Request, and specifically the response to Question 71 identifying documents produced not in USEPA's possession.

17. If the unit/area described above is no longer in use, how was such unit/area closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit/area.

**Response:**

Koppers is producing documents responsive to this request which describe in detail the actions taken involving impacted areas at the Property. Most documents describing the actions taken to prevent or address potential or actual releases of constituents from the areas are already in USEPA's possession as indicated on the GASCO Technical Documents web portal. Please also see the documents produced in response to Sections 6 and 7 of this Information Request, and specifically the response to Question 71 identifying documents produced by Koppers not in USEPA's possession.

18. For each Property, provide the following information regarding any current or former sewer or storm sewer lines or combined sanitary/storm sewer lines, drains, ditches, or tributaries discharging into the Willamette River:
- a. the location and nature of each sewer line, drain, ditch, or tributary;
  - b. the date of construction of each sewer line, drain, ditch, or tributary;
  - c. whether each sewer line, or drain was ever connected to a main trunk line;
  - d. whether each sewer line, drain, ditch, or tributary drained any hazardous substance, waste, material or other process residue to the Willamette River; and
  - e. provide any documentation regarding but not limited to the following on any and all outfalls to the Willamette River which are located within the boundaries of the Property(ies). Your response should include, but not be limited to:
    - i. the areas serviced by the outfalls; and
    - ii. the type of outfall (i.e., storm water or single facility operational).

**Response:**

- a. The following chart lists all known underground pipelines that are present on the Property. Please reference the produced material for information on the precise location of the listed pipelines, as well as information regarding tributaries and ditches.

Underground Pipeline Description	Process or Utility	Current Status	Product / Material	Type of Service	Pipe Diameter	Pipe Material	Approx. Length	Approx. Age
T-57, West of N.W. Natural's Oderizer Plant	Process	Abandoned	Creosote	Product Supply	4"	Steel	Unknown	Unknown
Lower Tank farm Tanks T-3, T-4, T-20, T-68 & T-99	Process	Abandoned	Foam	Fire Retardant	4"	Steel	500 feet	70 Years
Lower Tank farm SW-1, SW-2, SW-3, SW, 4, SW-5, SW-6	Process	Abandoned	Unknown	Process	4"	Steel	Unknown	Unknown
From the Collection Sump by the Shop on Track #3 to the NE corner of the Tank Farm	Process	Active	Stormwater	Stormwater Collection	4"	PVC	110 feet	3 Years
T-11 to area between T-1 & T-65	Process	Abandoned	p1/p13	Product Supply	8"	Steel	250 feet	70 Years
Under Main Roadway from Boiler House	Utility	Active	Water	Fire Hydrant	6" Trunk, 4" Leads	Steel	1,000 feet	80 Years
From Laboratory to Maintenance To Lower Tank farm	Process	Active	Water	Drain Lines	4"	Iron	250 feet	35 Years
Front of Boiler House Across Plant Road to Former Maintenance Area	Process	Abandoned	Unknown	Unknown	1", 2", 3", & 4"	Steel	Unknown	Unknown
Main Roadway from NW Natural's Tank farm to Oderizer Plant	Utility	Active	Natural Gas	Natural Gas	16" to 20"	Steel	1,000 feet	70 Years
From Tank T-20 to Main Supply Loop by tank T-19 in Tank farm	Process	Active	Distillate	Distillate	4"	Steel or Iron	100 feet	80 Years
Sewage Line From Office and Bath House to Portland City Sewer	Utility	Active	N/A	Sewage				

- b. Please reference the response to Question 18 (a) for the requested information.
- c. All of the drains and three collection sumps on the Property feed into the tank farm where there is one secondary sump pump that feeds directly into the primary sump pump. The primary sump pump feeds the stormwater storage tanks, for sampling prior to testing and discharge.



- d. All of the water discharged is stormwater and steam boiler blow down water only. Koppers does not have any water treating facilities , other than an oil/water separator.
  - e. All sanitary waste is discharged to the City of Portland's POTW. Stormwater is collected in a tank, processed through an oil/water separator and currently is discharged to the City POTW. Prior to late 2008 Koppers discharged the stormwater in batches (after treatment through the oil/water separator) pursuant to an NPDES permit. The permitted outfall was into a culvert which leads to a drainage ditch which in turn discharged to Doane's Creek about 150 feet from Koppers' outfall. Doane's Creek then meanders about 1.5 miles with several other industries discharging into Doane's Creek before it enters the River. Doane's Creek also collects the run off from the highway adjacent to Koppers' Property and from the homes along the hillside above the highway.
19. Provide copies of any stormwater or property drainage studies, including data from sampling, conducted at these Properties on stormwater, sheet flow, or surface water runoff. Also provide copies of any Stormwater Pollution Prevention, Maintenance Plans, or Spill Plans developed for different operations during the Respondent's operation of each Property.

**Response:**

Since beginning operations at the Property, Koppers has engaged in countless stormwater and drainage studies. Virtually all of these studies were done without the request of the EPA or any other regulatory agency. Copies of these reports and corresponding data are provided in the produced material.

**Section 4.0 Respondent's Operational Activities**

20. Describe the nature of your operations or business activities at each Property. If the operation or business activity changed over time, please identify each separate operation or activity, the dates when each operation or activity was started and, if applicable, ceased.

**Response:**

Prior to Koppers lease on this site, Beazer distilled coal tar into coal tar pitch, creosote and chemical oil from approximately 1966 to 1973. This distillation operation was briefly started again for six months in 1976. From 1974-1988 Beazer purchased coal tar pitch and stored the pitch at the Northwest Terminal before shipping it to customers. In 1984 Beazer started to import coal tar binder pitch from Asia in solid form ("pencil pitch").

After the acquisition from Beazer in 1988, Koppers continued to buy pitch and in 1999 built a melter in order to convert the solid pitch to a liquid form for customer convenience. The melter project converted two existing storage tanks, one into a melter tank and one into a storage tank for truck shipments. The tanks were fitted with a hot oil piping system inside the tanks to provide the heat transfer to melt the solid pitch and to keep it hot for shipping. These tanks as well as a new tank car loading station and a new tank truck loading station were tied into the fume recovery system which was built by Beazer in 1987.

In 1992 Koppers also added a second storage building for additional storage of pencil pitch.

By 1999 Koppers no longer used the Northwest Terminal for trans-shipments of either creosote or refined tars. The sole purpose of the Northwest Terminal is to import binder pitch for the aluminum industry and transload it and ship it to customers. In 1999 Koppers constructed a new pipeline and a new storage tank, from the existing GASCO river dock. The purpose of this construction was to permit Koppers to import liquid pitch directly from Asia. This same dock is also used by another GASCO tenant, Pacific Northern Oil Fuels, as a marine fuels operation.

21. At each Property, did you ever use, purchase, generate, store, treat, dispose, or otherwise handle any waste, or material? If the answer to the preceding question is anything but an unqualified "no," identify:
- in general terms, the nature and quantity of the waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;
  - the chemical composition, characteristics, physical state (e.g., solid, liquid) of each waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;
  - how each such waste or material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you; and
  - the quantity of each such waste or material used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you.

**Response:**

Since 1988, the Northwest Terminal has only operated as a terminal, bringing in pitch from other locations and trans-shipping the material to customers. The volumes have differed by year. Documents are being produced which indicate the yearly volumes.

The waste streams associated with the Koppers' operations are tank clean out sludges and occasional spill materials. Records regarding the disposal of tank sludges, most recently by Emerald Environmental Services are being produced. In addition, occasional spill

clean-up materials were disposed of and Koppers is producing documents which show the date, volume and chemical composition of those wastes. During construction projects soil was stockpiled on site and in at least one instance in 1999, contaminated soils which were discovered during foundation excavation were disposed of offsite. Koppers is producing the documents related to that disposal.

The plant is connected to the sanitary sewer for the City of Portland. Stormwater is treated by an oil/water separator and then is discharged pursuant to a batch permit to the City of Portland POTW.

- a. Inventory and shipping records are being produced.
  - b. Coal tar pitch was the largest volume material purchased. In addition, liquid nitrogen, oil for the hot oil system, and small quantities of solvents and laboratory chemicals were also purchased. Documents regarding these purchases are being produced.
  - c. Waste disposal records are being produced.
  - d. Waste disposal records are being produced.
22. Describe all activities at each Property that was conducted over, on, or adjacent to, the Willamette River. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located in the Willamette River.

**Response:**

According to a letter dated March 31, 1999 to Steve Fortuna, a Remedial Action Specialist, of the Site Assessment Program for the Oregon Department of Environmental Quality, authored by Amos S. Kamerer, in 1984 Beazer started to import solid coal tar binder pitch from Asia. This operation required offloading ships at the GASCO dock. Mr. Kamerer was the Plant Manager for Koppers' Northwest Terminal when he authored the letter. Mr. Kamerer was a Beazer employee prior to the Koppers acquisition and, thus, to Koppers' belief, Mr. Kamerer had first hand knowledge of the information stated in that letter.

This activity continued until the Koppers melter was operational at the site in late 1999. By 2002 the operations were limited to the offloading of liquid pitch from the GASCO dock and the transportation (via pipeline) to the Northwest Terminal, with only rare instances of solid pitch being brought into the Northwest Terminal by railcar or truck. In 2002 a new pipeline was constructed from the GASCO dock to the Northwest Terminal.

Approximately four ships per year bring product to Koppers at the GASCO dock. Each ship delivers approximately 5,000 MT of liquid pitch.

23. For each Property at which there was or is a mooring facility, dock, wharf or any over-water structure, provide a summary of over-water activities conducted at the structure, including but not limited to, any material loading and unloading operations associated with vessels, materials handling and storage practices, ship berthing and anchoring, ship fueling, and ship building, retrofitting, maintenance, and repair.

**Response:**

Please see response to number 22 above. Koppers has always contracted with a third party to provide marine services for the ships utilizing the GASCO dock. Koppers did not load ships, fuel ships, build ships, retrofit, maintain or repair ships.

24. Describe all activities conducted on leased aquatic lands at each Property. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located on such leased aquatic lands.

**Response:**

Koppers is not aware of any information responsive to this request as it does not lease any aquatic lands.

25. Please describe the years of use, purpose, quantity, and duration of any application of pesticides or herbicides on each Property during the period of investigation (1937 – present). Provide the brand name of all pesticides or herbicides used.

**Response:**

Since approximately 1993 Koppers has hired a vendor to spray for weeds twice per year. All existing documents related to this weed control are being produced.

26. Describe how wastes transported off the Property for disposal are and ever were handled, stored, and/or treated prior to transport to the disposal facility.

**Response:**

For those wastes which are typical trash and are non-hazardous, Koppers has a contract with Waste Management Services for waste disposal. The trash is collected in 10 yard and 20 yard boxes which are located on a concrete floor in the warehouse. Boxes are removed weekly by a contractor. For any hazardous waste which might be generated, for instance, as a result of cleaning out a tank, the waste is held in a container, with a lid,

properly labeled and is never stored for more than ninety days. The waste is tested so that it can be characterized and then it is disposed of at a RCRA licensed facility. Disposal records for hazardous waste are being produced. Documents (including invoices) for shipments of non-hazardous waste are also being produced. One of the documents being produced logs all hazardous and non-hazardous waste disposal from 1990-1999. The log lists Chem-Security Systems, US PCI, Laidlaw Environmental Services, Eltes Environmental Services and Safety Kleen as companies which picked up and disposed of Koppers' waste. Another undated Shipment Log shows waste disposal from 1986-1993 and another Waste Disposal Log shows disposal from 1995-1997.

27. Has Respondent ever arranged for disposal or treatment or arranged for transportation for disposal or treatment of materials to any Property (including the Willamette River) within the Investigation Area? If so, please identify every Property that Respondent's materials were disposed or treated at in the Investigation Area. In addition, identify:
- a. the persons with whom the Respondent made such arrangements;
  - b. every date on which Respondent made such arrangements;
  - c. the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid), and quantity (volume and weight) of all materials involved in each such arrangement;
  - d. in general terms, the nature and quantity of the non-hazardous materials involved in each such arrangement;
  - e. in general terms, the nature and quantity of any hazardous materials involved in each such arrangement;
  - f. the owner of the materials involved in each such arrangement, if not Respondent;
  - g. all tests, analyses, analytical results or manifests concerning each hazardous material involved in such transactions;
  - h. the address(es) for each Property, precise locations at which each material involved in such transactions actually was disposed or treated;
  - i. the owner or operator of each facility at which hazardous or non-hazardous materials were arranged to be disposed at within the Investigation Area;
  - j. who selected the location to which the materials were to be disposed or treated;
  - k. who selected the Property as the location at which hazardous materials were to be disposed or treated; and
  - l. any records of such arrangement(s) and each shipment.

**Response:**

Koppers is not aware of any information indicating that it arranged for waste to be transported and/or disposed to areas within the Investigation Area.

28. Describe the plants and other building or structures where Respondent carried out its operations at each Property within the Investigation Area (excluding locations where ONLY clerical/office work was performed).

**Response:**

Koppers is producing documents responsive to this request which include diagrams and descriptions of the buildings, tanks and other facilities used by Koppers. The main buildings and structures which remain on site today are the office building, the maintenance building, a boiler house, a service room where employees change clothes, a control room, two pitch storage buildings, and an electrical room. The following tanks, which are shown on earlier drawings or maps, have been removed: T-1, T-11, T-12, T-2, T-18, T-19, T-17, T-23, T-20, T-101, T-39, T-66, T-53, T-74 and V-201 and the column associated with that tank.

29. Provide a schematic diagram or flow chart that fully describes and/or illustrates the Respondent's operations on each Property.

**Response:**

Koppers simply brings liquid pitch in to the GASCO dock, and pumps it through a pipeline to tanks at the Northwest Terminal. Shipments to customers are made by loading railroad cars with the liquid pitch held in the tanks. A flow diagram is being produced.

30. Provide a brief description of the nature of Respondent's operations at each location on each Property including:
- a. the date such operations commenced and concluded; and
  - b. the types of work performed at each location, including but not limited to the industrial, chemical, or institutional processes undertaken at each location.

**Response:**

The Office Building has been continuously used as administrative offices since Koppers acquired the assets from Beazer in December 1988. Similarly, since 1988, the maintenance shop, boiler house, service room, control room, and electrical room have also been used for their current purposes. Although there was one building used for pitch storage in 1988, as noted in response to Question #20, Koppers added a second storage building in 1992 for additional storage of pencil pitch. In 2002 Koppers converted to liquid pitch operations and thus the need for large quantities of pencil pitch storage declined. This building still exists today and on rare occasions Koppers receives a shipment of solid pitch which is stored in this building.

Please see response to Question #28 regarding tanks that have been removed.

Please see response to Question #20 for an overall description of how operations have changed at the Northwest Terminal over time.

31. If the nature or size of Respondent's operations changed over time, describe those changes and the dates they occurred.

**Response:**

Please see response to Question #20.

32. List the types of raw materials used in Respondent's operations, the products manufactured, recycled, recovered, treated, or otherwise processed in these operations.

**Response:**

Since Koppers began operations in December 1988, the Northwest Terminal has never used raw materials to manufacture a product. Instead the facility has been a terminal for the trans-shipment of solid and liquid coal tar pitch as more fully described in response to Question #20.

33. Provide copies of Material Safety Data Sheets (MSDS) for materials used in the Respondent's operations.

**Response:**

Koppers is producing MSDS sheets for all materials used on site.

34. Describe the cleaning and maintenance of the equipment and machinery involved in these operations, including but not limited to:
- a. the types of materials used to clean/maintain this equipment/machinery;
  - b. the monthly or annual quantity of each such material used;
  - c. the types of materials spilled in Respondent's operations;
  - d. the materials used to clean up those spills;
  - e. the methods used to clean up those spills; and
  - f. where the materials used to clean up those spills were disposed of.

**Response:**

The major stationary equipment for the Northwest Terminal consists of tanks, a pipeline and pumps. Tanks are cleaned out periodically. There is no set schedule for tank clean

out. Third parties are contracted to conduct the tank cleanings. Documents are being produced which list the quantity of tank sludge from cleanings and the disposal of those materials. The pipeline was built in 2002 and has not been cleaned since the construction was completed.

35. Describe the methods used to clean up spills of liquid or solid materials during Respondent's operation.

**Response:**

Information regarding the clean-up of specific spills is addressed in response to the requests in Section 6. In general, coal tar pitch in its solid form can be cleaned up by shovel and can be readily distinguished from soil. If a spill of liquid coal tar pitch occurs, the pitch will readily revert to a solid when it cools. It can then be cleaned up by shovel.

Koppers is producing copies of its Spill Prevention, Control & Countermeasures Plan. Koppers is committed to maintaining the Northwest Terminal in a manner that prevents spills and addresses them immediately if they do occur.

36. For each type of waste (including by-products) from Respondent's operations, including but not limited to all liquids, sludges, and solids, provide the following information:
- a. its physical state;
  - b. its nature and chemical composition;
  - c. its color;
  - d. its odor;
  - e. the approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.); and
  - f. the dates (beginning & ending) during which each type of waste was produced by Respondent's operations.

**Response:**

As noted above, the only wastes routinely generated are tank sludge which is cleaned out periodically and the few occasions when spill materials have been cleaned up. Koppers is providing documents regarding these wastes which include the information requested. These wastes are solid, black in color and often have an odor described as a petroleum or asphalt like odor.

In 2006 Koppers converted its laboratory at the Northwest Terminal so that only softening point analyses are now conducted. As a result, chemicals previously used in the QA/QC process were no longer needed and they were properly disposed of by lab packs. Documents are being produced which show the nature of the lab packs.



37. Provide a schematic diagram that indicates which part of Respondent's operations generated each type of waste, including but not limited to wastes generated by cleaning and maintenance of equipment and machinery and wastes resulting from spills of liquid materials.

**Response:**

Schematic diagrams would be appropriate for companies with more complex manufacturing operations and processes. Koppers does not have a schematic drawing that depicts where these wastes are generated. Tank cleanings and spill clean-up materials are not generated from a manufacturing process, but rather are generated when a tank is cleaned or a spill occurs.

38. Identify all individuals who currently have and those who have had responsibility for Respondent's environmental matters (e.g. responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes). Also provide each individual's job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management.

**Response:**

John Oxford - Plant Manager for Beazer at Portland Northwest Terminal from 1983

Amos Kamerer - Plant Manager - January 1999 - 2007 (deceased)

T.J. Turner - Plant Manager - January 2007 - present (held many positions prior to Plant Manager), Koppers Inc., 7540 NW Saint Helens Road, Portland, OR 97210, telephone 503-286-3681

Jason Christensen - April 2007 - present - Office Manager, Koppers Inc., 7540 NW Saint Helens Road, Portland, OR 97210, telephone 503-286-3681

Leslie Hyde - Vice President Environmental Health & Safety - January 2005 - present (hired in 1999), Koppers Inc., 436 Seventh Avenue, Pittsburgh, PA 15219-1800

Traci Self - Environmental Manager, January 2000 - present, Koppers Inc., 436 Seventh Avenue, Pittsburgh, PA 15219-1800

John P. Spicuzza - Environmental Resources Manager - May 2008 - present, Koppers Inc., 436 Seventh Avenue, Pittsburgh, PA 15219-1800

William Swearingen - Environmental Program Manager, March 1989 - 1998

Randall Collins - Vice President of Regulatory Affairs - January 2005 - present, Koppers Inc., 436 Seventh Avenue, Pittsburgh, PA 15219-1800

39. For each type of waste describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling.

**Response:**

Koppers is producing documents responsive to this request.

40. Provide copies of such contracts and other documents reflecting such agreements or arrangements, including, but not limited to the following:
- a. state where Respondent sent each type of its waste for disposal, treatment, or recycling;
  - b. identify all entities and individuals who picked up waste from Respondent or who otherwise transported the waste away from Respondent's operations (these companies and individuals shall be called "Waste Carriers" for purposes of this Information Request);
  - c. if Respondent transported any of its wastes away from its operations, please so indicate;
  - d. for each type of waste specify which Waste Carrier picked it up;
  - e. indicate the ultimate disposal/recycling/treatment location for each type of waste;
  - f. provide all documents indicating the ultimate disposal/recycling/treatment location for each type of waste; and
  - g. state the basis for and provide any documents supporting the answer to the previous question.

**Response:**

Koppers is producing documents responsive to this request. It would be unduly burdensome to repeat the details of the information on every waste manifest since 1988.

41. Describe all wastes disposed by Respondent into Respondent's drains including but not limited to:
- a. the nature and chemical composition of each type of waste;
  - b. the dates on which those wastes were disposed;
  - c. the approximate quantity of those wastes disposed by month and year;
  - d. the location to which these wastes drained (e.g. septic system or storage tank at the Property, pre-treatment plant, POTW, etc.); and
  - e. whether and what pretreatment was provided.

**Response:**

Koppers is producing documents responsive to this request. It would be unduly burdensome to repeat the details of the information on every waste manifest and waste characterization report since 1988.

42. Identify any sewage authority or treatment works to which Respondent's waste was sent.

**Response:**

The only sewage authority or treatment works Koppers has discharged to is the City of Portland POTW.

43. Describe all settling tank, septic system, or pretreatment system sludges or other treatment wastes resulting from Respondent's operations.

**Response:**

In accordance with an NPDES permit from Oregon DEQ, Koppers has utilized six on-site settling tanks, sumps and an oil/water separator. Since the time Koppers acquired the assets in December 1988, all sanitary wastes have gone to the City of Portland POTW.

44. If applicable, describe the facilities, processes and methods Respondent or Respondent's contractor used, and activities engaged in, either currently or in the past, related to ship building, retrofitting, maintenance or repair, including, but not limited to, dry-docking operations, tank cleaning, painting and re-powering.

**Response:**

Koppers has never engaged in ship building, retrofitting, maintenance or repair. Therefore, this request is not applicable to Koppers. Koppers has cleaned tanks at the Northwest Terminal. The process used to clean tanks is to have a contractor enter the tank and pump any sludges that can be pumped and scrape or otherwise remove any remaining sludge. All tank sludges are disposed of as hazardous waste.

45. Describe any hazardous substances, wastes, or materials used or generated by the activities described in response to the previous Question and how these hazardous substances, materials and wastes were released or disposed of.

**Response:**

Koppers is providing documents which detail the disposal of all tank cleaning sludges.

46. Provide copies of any records you have in your possession, custody or control relative to the activities described in response to the previous two Questions.

**Response:**

Koppers is providing the documents requested with respect to tank cleanings.

47. Describe any process or activity conducted on a Property identified in response to Question 4 involving the acquisition, manufacture, use, storage, handling, disposal or release or threatened release of polychlorinated biphenyl(s) ("PCB(s)" or PCB(s)-containing materials or liquids).

**Response:**

Koppers has tested all transformers on site and has confirmed that none of them contain PCB's. Koppers has not engaged in any activity involving the acquisition, manufacture, use, storage, handling, disposal or release or threatened release of PCB's or PCB-containing materials or liquids.

48. For each process or activity identified in response to the previous Question, describe the dates and duration of the activity or process and the quantity and type of PCB(s) or PCB(s) containing materials or liquids.

**Response:**

See response to Question #47.

49. For each process or activity identified in response to the previous two Questions, identify the location of the process or activity on the property.

**Response:**

See response to Question #47.

## **Section 5.0 Regulatory Information**

50. Identify all federal, state and local authorities that regulated the owner or operator of each Property and/or that interacted with the owner or operator of each Property. Your response is to address all interactions and in particular all contacts from agencies/departments that dealt with health and safety issues and/or environmental concerns.

**Response:**

According to the documents being produced, the following authorities regulated and/or interacted Koppers with respect to health and safety issues and/or environmental concerns:

City of Portland

- a. Application to Dispose of Special Waste (off-spec sodium sulfite)
- b. Bureau of Land Planning (Construction/modification of existing marine petroleum terminal)

State of Oregon Department of Environmental Quality

- a. NPDES Permit
- b. State Fire Marshall, Hazardous Substance Survey / Toxic Chemical Release Inventory (OSFM ID 00620) for Coal Tar Pitch
- c. Air Contamination Discharge Permit (permit # 26-2930)
- d. Toxic Use Reduction Report (Koppers required to file because registered with DEQ as hazardous waste generator and as an entity required to file TRI information) \* (Koppers granted a limited exemption from TUR reporting on/around December 17, 1999)
- e. Emergency Response Commission (TRI information submitted)

United States Environmental Protection Agency

- a. FIFRA
- b. SARA Section 313 / EPCRA (facility ID# ORD027734359) - Toxic Release Inventory Reporting (Toxic Release Inventory ID # 97210KPPRS7540N)
- c. Oil Pollution Act (SPCC)

United States Department of Homeland Security

- a. Security Plan
- b. Bureau of Customs and Border Protection Forms for Import of Coal Tar Pitch

United States Department of Transportation

- a. Hazardous Materials Certificate of Registration (registration # 060297 010 023F)
- b. Transportation Worker Identification Credential Program

United States Coast Guard

- a. Facility Response Plan
- b. SPCC

United States Army Corps of Engineers

- a. Permit for Construction of a Dock - 1992 and 1997

51. Describe all occurrences associated with violations, citations, deficiencies, and/or accidents concerning each Property during the period being investigated related to health and safety issues and/or environmental concerns. Provide copies of all documents associated with each occurrence described.

**Response:**

The following violations are noted within the documents being produced by Koppers:

- a. Hazardous waste violations – on/around June 4, 1999 (1) failure to perform a hazardous waste determination on seven drums; (2) failure to immediately clean up a spill of hazardous waste; (3) placing wastes in a location where they are likely to enter waters of the state.
- b. Hazardous waste violations – on/around September 21, 2004 (1) failure to maintain a list of personnel associated with hazardous waste management; (2) failure to make arrangements with state emergency response authorities; (3) failure to update SPCC plan to include a complete list of emergency equipment; (4) failure to have a plan covering the weekly inspections of hazardous waste container storage area.
- c. Violation of Air Contaminant Discharge Permit on/around August 22, 1989 (opacity/emission violation from the tank of coal tar creosote)

d. Notice of Non-compliance with NPDES Permit

March/November 1996 - exceeded monthly average for phenol

April 30, 1997 - PAH exceeded effluent limitation

January 22, 1997 - exceeded phenol effluent limitation

52. Provide a list of all local, state and federal environmental permits ever issued to the owner or operator on each Property (e.g., RCRA permits, NPDES permits, etc.). Please provide a copy of each federal and state permit, and the applications for each permit, ever issued to the owner or operator on each Property.

**Response:**

Please see response to Question # 50 above for a list of state and federal permits issued to Koppers. Copies of the documents associated with each permit are being produced.

53. Did the owner or operator ever file a Hazardous Waste Activity Notification under the RCRA? If so, provide a copy of such notification.

**Response:**

As indicated by the documents produced, Koppers was typically a Conditionally Exempt Small Quantity Generator but in/around 2003 became a Large Quantity Generator due to tank cleaning activities which created tank sludges which were disposed of as hazardous waste. The ODEQ/EPA site identification number (identified in response to Question # 55) and electronic reporting system, initiated in 2003, replaced the former Hazardous Waste Activity Notification Form.

54. Did the owner or operator's facility on each Property ever have "interim status" under the RCRA? If so, and the facility does not currently have interim status; describe the circumstances under which the facility lost interim status.

**Response:**

Beazer was granted interim status (Part A Hazardous Waste Permit Application) by EPA on/around August 9, 1982. Beazer also applied for interim status with the State of Oregon on/around July 16, 1981 (but Oregon's hazardous waste program had not yet been approved so Beazer still had to comply with the federal requirements). The interim status permit was transferred to Koppers in 1988. Koppers is producing the document by which it withdrew its interim status and returned to the status of a generator only.

55. Provide all RCRA Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.

**Response:**

Koppers' RCRA identification number (issued by the Oregon Department of Environmental Quality) is ORD027734359.

56. Identify all federal offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.

**Response:**

Environmental Protection Agency, Department of Transportation, United States Coast Guard, Department of Homeland Security. Copies of all documents submitted to these agencies are being produced.

57. Identify all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.

**Response:**

Oregon State Department of Environmental Quality, State Fire Marshall, State Emergency Response Commission. Copies of all documents submitted to these agencies are being produced.

58. List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq., (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq., Oregon Hazardous Substance Remedial Action Law, ORS 465.315, Oregon Water Quality law, ORS Chapter 468(b), Oregon Hazardous Waste and Hazardous Materials law, ORS Chapters 465 and 466, or Oregon Solid Waste law, ORS Chapter 459. Provide copies of each report made, or if only oral reporting was required, identify the federal and state offices to which such report was made.

**Response:**

Please see response to Question # 50 above.



59. Provide a copy of any registrations, notifications, inspections or reports required by the Toxic Substances Control Act, 15 USC § 2601 et seq., or state law, to be maintained or submitted to any government agency, including fire marshal(s), relating to PCB(s) or PCB(s) containing materials or liquids on any Property identified in response to Question 4.

**Response:**

Koppers has tested all transformers on site and has confirmed that none contain PCB's. Koppers has not engaged in any activity involving the acquisition, manufacture, use, handling, disposal or release or threatened release of PCB's.

60. Has Respondent or Respondent's contractors, lessees, tenants, or agents ever contacted, provided notice to, or made a report to the Oregon Department of State Lands ("DSL") or any other state agency concerning an incident, accident, spill, release, or other event involving Respondent's leased state aquatic lands? If so, describe each incident, accident, spill, release, or other event and provide copies of all communications between Respondent or its agents and DSL or the other state agency and all documents that were exchanged between Respondent, its agents and DSL or other state agency.

**Response:**

Koppers does not lease any state aquatic lands and has not contacted, provided notice or a report to the Oregon Department of State Lands involving an incident, accident, spill, or release, or other event involving any state aquatic lands.

61. Describe all notice or reporting requirements to DSL that you had under an aquatic lands lease or state law or regulation regarding incidents affecting, or activities or operations occurring on leased aquatic lands. Include the nature of the matter required to be reported and the office or official to whom the notice or report went to. Provide copies of all such notices or reports.

**Response:**

Please see response to Question #60 above.

**Section 6.0 Releases and Remediation**

62. Identify all leaks, spills, or releases into the environment of any waste, including petroleum, hazardous substances, pollutants, or contaminants, that have occurred at or from each Property, which includes any aquatic lands owned or leased by Respondent. In addition, identify, and provide copies of any documents regarding:

- a. when such releases occurred;
- b. how the releases occurred (e.g. when the substances were being stored, delivered by a vendor, transported or transferred (to or from any tanks, drums, barrels, or recovery units), and treated);
- c. the amount of each hazardous substances, pollutants, or contaminants so released;
- d. where such releases occurred;
- e. any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release;
- f. any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken;
- g. all persons with information relating to these releases; and
- h. list all local, state, or federal departments or agencies notified of the release, if applicable.

**Response:**

Koppers has had very few spills and is producing all documents responsive to this request, including documents regarding spills caused by others on the Koppers Leased Property.

Spills on Koppers Leased Property

April 3, 1989 Spill

- a. April 3, 1989
- b. While heating a rail car of creosote, approximately 100 gallons exited out the top of the manhole.
- c. 100 gallons of creosote
- d. On an asphalt pad surrounding the railroad tracks
- e. The creosote was absorbed with sand and placed in drums and disposed of in accordance with state and federal laws.
- f. None
- g. John Oxford, Plant Manager

h. Oregon DEQ

July 23, 1990 - Pacific Northern Oil Spill on Track #4

- a. July 23, 1990 spill caused by Pacific Northern
- b. Pacific Northern loaded a railroad car with a partially open inside valve and no outside valve and only a screw-on cap. (Photos produced).
- c. Unknown
- d. On Track #4 on Koppers leased property
- e. Pacific Northern conducted remediation, Koppers was concerned about the extent of remaining contamination.
- f. Unknown, as this was under the control of Pacific Northern.
- g. Mr. R. Wixom, Oregon DEQ; John Oxford, Plant Manager for Koppers at the time of the incident.

h. Oregon DEQ

September 21, 1990 - Spill or clean-up of historical contamination

Documents show shipment of 41,600 (units unreadable of contaminated soil to Chemical Waste Management). The soil was discovered during excavation of the foundation for a building and appeared to be historical contamination.

October 26, 1995

- a. October 26, 1995, 3:45 p.m.
- b. During transfer of tar to a railroad tank car, a line off of the tank car, operated by a ball valve, was inadvertently bumped and was slightly open. Thus, a slight leak occurred.
- c. Approximately 750 gallons of tar
- d. On a paved area
- e. Absorbent pads and sand were used to stop the spread of the material, and cold water was put on the tar to cool it so clean-up could commence. The material was disposed of at Sanifill Northwest, Inc. as a special waste.

- f. None
- g. Amos Kamerer
- h. None

January 28, 1998 Spill

- a. January 28, 1998
- b. While transferring liquid pitch to the shipping tank (Tank T-68) the tank overflowed due to the mechanical failure of the gauge.
- c. Approximately 7 tons of coal tar pitch was spilled.
- d. Around Tank T-68 in the tank farm area.
- e. Portland Fire Bureau Station #22 responded. The City of Portland, Environmental Services was also notified.
- f. No testing was required as the spill material was readily identifiable and was immediately contained and cleaned up. 100% of the material was recovered, 99% was recycled and 1% was disposed of as non-hazardous material.
- g. T.J. Turner, Amos Kamerer
- h. None

April 1999 - Clean-up of Historical Contamination during Construction

Koppers excavated approximately 1,365 tons of petroleum contaminated soil during construction of a coal tar pitch AST.

- a. Unknown - but likely residual impacts from historical GASCO operations
- b. Unknown
- c. Approximately 1,365 tons of soil impacted with petroleum
- d. In soil at the Koppers lease area prior to Koppers ownership
- e. ODEQ was involved in approving the construction project and ground water monitoring after Koppers completed the construction
- f. The area continues to be monitored as part of GASCO's investigations

- g. T.J. Turner
- h. Oregon DEQ

**Spills on Property owned or operated by others:**

May 23, 1989 spill at McCormick & Baxter Creosoting Company, Edgewater Blvd., Portland, OR

- a. May 23, 1989
- b. While making a delivery of creosote the driver cleared his pump hose with air pressure and thought the hose was empty. When he disconnected the hose from the truck, creosote oil spilled to the ground.
- c. 5-10 gallons of creosote
- d. McCormick & Baxter Creosoting Company, Edgewater Blvd., Portland, OR
- e. The material was absorbed and placed into a 55 gallon drum. The drum was properly disposed of.
- f. None.
- g. John Oxford; T. Kosmolski (McCormick & Baxter)
- h. Oregon DEQ, National Response Center - Mr. Mackery, Oregon Emergency Response Center - Claudia Anderson

August 19, 1999 - Spill on Pacific Northern property

- a. August 19, 1999 spill caused by McDowell Welding & Pipefitting
- b. McDowell Welding & Pipefitting personnel were hydrotesting the new pipeline and failed to ensure that the pipe to be tested was sealed. This caused water to flow into Pacific Northern's sumps which then pumped the water into the oil/water separator which then overflowed.
- c. Approximately 2,000 gallons of oil and water overflowed from the oil/water separator.
- d. Oil water separator overflowed into a containment area.
- e. Pacific Northern presented bills from Foss Environmental, Associated Earth Sciences and an equipment rental company

- f. Pacific Northern hired Foss Environmental and Associated Earth Sciences to clean-up the spill and to conduct appropriate investigations. Pacific Northern requested Koppers pay the invoices and Koppers in turn made a claim against McDowell Welding & Pipefitting Co.
- g. Amos Kamerer, George Markwood of Pacific Northern, Inc., TJ Turner
- h. Spill was reported to Oregon Emergency Response

October 22, 2003 Spill

- a. October 22, 2003 spill from Osprey Arrow
- b. Flange on hose from ship was not adequately secured prior to returning the hose to the terminal.
- c. 1-2 gallons of liquid pitch
- d. At GASCO dock
- e. None
- f. None
- g. Troy Goodman, PTSI
- h. Troy Goodman of PTSI contacted the various agencies because the spill occurred while PTSI was providing marine services.

Koppers is also producing documents evidencing disposal of spill clean up materials for which we have no further documentation:

4-24-90 - Manifest for disposal of creosote spill clean up materials which represents one or two drums of material which was spilled onto asphalt and did not reach the soil.

9-15-93 - Manifest for disposal of 100 cubic yards of "spill material" which resulted from overfilling a tank car.

- 63. Was there ever a spill, leak, release or discharge of waste, including petroleum, or hazardous substances, pollutant or contaminant into any subsurface disposal system or floor drain inside or under a building on the Property? If the answer to the preceding question is anything but an unqualified "no", identify:
  - a. where the disposal system or floor drains were located;

- b. when the disposal system or floor drains were installed;
- c. whether the disposal system or floor drains were connected to pipes;
- d. where such pipes were located and emptied;
- e. when such pipes were installed;
- f. how and when such pipes were replaced, or repaired; and
- g. whether such pipes ever leaked or in any way released such waste or hazardous substances into the environment.

**Response:**

None known

64. Has any contaminated soil ever been excavated or removed from the Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:
- a. amount of soil excavated;
  - b. location of excavation presented on a map or aerial photograph;
  - c. manner and place of disposal and/or storage of excavated soil;
  - d. dates of soil excavation;
  - e. identity of persons who excavated or removed the soil, if other than a contractor for Respondent;
  - f. reason for soil excavation;
  - g. whether the excavation or removed soil contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the soil contained, and why the soil contained such constituents;
  - h. all analyses or tests and results of analyses of the soil that was removed from the Property;
  - i. all analyses or tests and results of analyses of the excavated area after the soil was removed from the Property; and
  - j. all persons, including contractors, with information about (a) through (i) of this request.

**Response:**

Yes, GASCO has removed contaminated soil from the property. Koppers does not have the detailed information requested in its possession. In addition, as detailed in response to Question number 62, Koppers disposed of petroleum contaminated soil on April 22, 1999 discovered during the excavation of a foundation for a new tank, T-200. Koppers is producing the waste manifest for this disposal.

65. Have you ever tested the groundwater under your Property? If so, please provide copies of all data, analysis, and reports generated from such testing.

**Response:**

No, Koppers has not tested the groundwater under the subject Property. On information and belief, Koppers believes that GASCO has tested the groundwater beneath Koppers' leased property.

66. Have you treated, pumped, or taken any kind of response action on groundwater under your Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:
- a. reason for groundwater action;
  - b. whether the groundwater contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the groundwater contained, and why the groundwater contained such constituents;
  - c. all analyses or tests and results of analyses of the groundwater;
  - d. if the groundwater action has been completed, describe the basis for ending the groundwater action; and
  - e. all persons, including contractors, with information about (a) through (c) of this request.

**Response:**

No.

67. Was there ever a spill, leak, release or discharge of a hazardous substance, waste, or material into the Willamette River from any equipment, structure, or activity occurring on, over, or adjacent to the river? If the answer to the preceding question is anything but an unequivocal "no", identify and provide copies of any documents regarding:
- a. the nature of the hazardous substance, waste, or material spilled, leaked, released or discharged;
  - b. the dates of each such occurrence;
  - c. the amount and location of such release;
  - d. were sheens on the river created by the release;
  - e. was there ever a need to remove or dredge any solid waste, bulk product, or other material from the river as a result of the release? If so, please provide information and description of when such removal/dredging occurred, why, and where the removed/dredged materials were disposed.



**Response:**

See response to Question #62 above.

68. For any releases or threatened releases of PCB(s), identify the date, quantity, location and type of PCB(s), or PCB(s) containing materials or liquids, and the nature of any response to or cleanup of the release.

**Response:**

There have been no releases or threatened releases of PCB's.

69. For any releases or threatened releases of PCB(s) and/or PCB(s) containing materials or liquids, identify and provide copies of any documents regarding the quantity and type of waste generated as a result of the release or threatened release, the disposition of the waste, provide any reports or records relating to the release or threatened release, the response or cleanup and any records relating to any enforcement proceeding relating to the release or threatened release.

**Response:**

None.

**Section 7.0 Property Investigations**

70. Provide information and documentation concerning all inspections, evaluations, safety audits, correspondence and any other documents associated with the conditions, practices, and/or procedures at the Property concerning insurance issues or insurance coverage matters.

**Response:**

Koppers is producing documents responsive to this request including reports summarizing quality assurance assessments performed by Lloyd's Register from September 30 through October 2, 2003 and January 16-17, 2006.

71. Describe the purpose for, the date of initiation and completion, and the results of any investigations of soil, water (ground or surface), sediment, geology, and hydrology or air quality on or about each Property. Provide copies of all data, reports, and other documents that were generated by you or a consultant, or a federal or state regulatory agency related to the investigations that are described.

**Response:**

Koppers is producing documents responsive to this request. Almost all of the Property investigations in Koppers' possession have been completed by GASCO either as part of the ODEQ Voluntary Cleanup Program work or the LWG Portland Harbor Upland Assessment for the GASCO site. In addition to these investigation and remediation reports, all of which are in USEPA's possession as part of the Portland Harbor studies, Koppers is producing documents related to the following:

- Soil sampling results collected at various times during construction-related activities.
- Various compliance monitoring associated with surface water and air. The air monitoring includes both OSHA and air permit data. (Also see the documents produced in response to the Regulatory Section).

72. Describe any remediation or response actions you or your agents or consultants have ever taken on each Property either voluntarily or as required by any state or federal agency. If not otherwise already provided under this Information Request, provide copies of all investigations, risk assessments or risk evaluations, feasibility studies, alternatives analysis, implementation plans, decision documents, monitoring plans, maintenance plans, completion reports, or other document concerning remediation or response actions taken on each Property.

**Response:**

As a result of the 1999 discovery of contaminated soil on the Koppers' leased property when excavating for construction of a new tank, GASCO was required by Oregon DEQ to conduct additional investigations, including groundwater monitoring. Those investigations were conducted by Hahn & Associates, Inc. on behalf of GASCO. All GASCO reports in Koppers' possession are being produced.

Koppers is producing documents responsive to this request. Please see the responses above and the responses and documents produced in the Releases and Remediation Section.

73. Are you or your consultants planning to perform any investigations of the soil, water (ground or surface), geology, hydrology, and/or air quality on or about the Property? If so, identify:
- a. what the nature and scope of these investigations will be;
  - b. the contractors or other persons that will undertake these investigations;
  - c. the purpose of the investigations;

- d. the dates when such investigations will take place and be completed; and
- e. where on the Property such investigations will take place.

**Response:**

Koppers will continue collecting data necessary for health and safety purposes and permit compliance purposes. GASCO is continuing its investigation of the Property. Koppers has no investigation work planned.

**Section 8.0 Corporate Information**

74. Provide the following information, when applicable, about you and/or your business(es) that are associated with each Property identified in response to Question 4:
- a. state the current legal ownership structure (e.g., corporation, sole proprietorship);
  - b. state the names and current addresses of current and past owners of the business entity or, if a corporation, current and past officers and directors;
  - c. discuss all changes in the business' legal ownership structure, including any corporate successorship, since the inception of the business entity. For example, a business that starts as a sole proprietorship, but then incorporates after a few years, or a business that is subsequently acquired by and merged into a successor. Please include the dates and the names of all parties involved;
  - d. the names and addresses of all current or past business entities or subsidiaries in which you or your business has or had an interest that have had any operational or ownership connection with the Properties identified in response to Question 4. Briefly describe the business activities of each such identified business entities or subsidiaries; and
  - e. if your business formerly owned or operated a Property identified in response to Question 4, describe any arrangements made with successor owners or operators regarding liability for environmental contamination or property damage.

**Response:**

- a. Corporation
- b. Current Officers and Directors:

Walter W. Turner, President and Chief Executive Officer  
296 Linden Road

Canonsburg, PA 15317

James T. Dietz, Vice President, European Operations  
North Brook  
Haytons Lane  
Appleby  
N. Lincolnshire DN15 OAP  
United Kingdom

Donald E. Evans, Vice President, Global Marketing, Sales and  
Development, Carbon Materials and Chemicals  
117 James Street  
New Wilmington, PA 16142

Kevin J. Fitzgerald, Senior Vice President, Global Carbon Materials and  
Chemicals  
1532 Brimfield Drive  
Sewickley, PA 15143

Leslie S. Hyde, Vice President, Safety and Environmental Affairs  
139 London Towne Drive  
Pittsburgh, PA 15226

Steven R. Lacy, Senior Vice President, Administration, General Counsel  
and Secretary  
339 Snowberry Circle  
Venetia, PA 15367

Thomas D. Loadman, Vice President and General Manager, Railroad  
Products and Services  
211 Sussex Way  
McMurray, PA 15317

Michael J. Mancione, Vice President, North American Carbon Materials  
and Chemicals  
156 Oakview Drive  
Cranberry Township, PA 16066

Mark R. McCormack, Vice President, Australian Operations  
22 Shaw Avenue  
Kingsford, Sydney NSW 2032  
Australia

Brian H. McCurrie, Vice President and Chief Financial Officer  
1497 Zenith Street  
Pittsburgh, PA 15241

Louann E. Tronsberg-Deihle, Treasurer  
414 Newbury Lane  
Sewickley, PA 15143

Directors:

David M. Hillenbrand  
312 Habersham Street  
Savannah, GA 31401

Cynthia A. Baldwin  
311 Arctic Street  
McKeesport, PA 15132

Christian L. Oberbeck  
Two McPherson Drive  
Greenwich, CT 06830

James C. Stalder  
1821 Woodlands Circle  
Pittsburgh, PA 15241-2671

Clayton A. Sweeney  
232 Thornberry Circle  
Pittsburgh, PA 15234

Walter W. Turner  
296 Linden Road  
Canonsburg, PA 15317

T. Michael Young  
1618 Nantucket Drive  
Houston, TX 77057

Past Officers:

James R. Batchelder, Vice President & Manager, Environmental Affairs &  
Technical Services

2650 Meadowmont Lane  
Santa Rosa, CA 95404

Joseph E. Boan, Vice President, Human Resources

313 Thorn Street  
Sewickley, PA 15143

David T. Bryce, Vice President & General Manager, Utility Poles &  
Pilings

5513 Poinciana Lane  
Lake Park, GA 31636

Ernest S. Bryon, Vice President, Business Development, Asia

Unit 1806  
183 Kent Street  
Sydney, NSW 2000  
Australia

Earl A. Clendaniel, Executive Vice President, Marketing & Sales

4580 Chase Oaks Drive  
Sarasota, FL 34241

Randall D. Collins, Vice President, Safety, Health, Environmental Affairs  
and Risk Manager and Assistant Secretary

325 Perry Road  
Seneca, SC 29672

Donald E. Davis, Vice President & Chief Financial Officer

20 Woodridge Drive  
Carnegie, PA 15106

William R. Donley, Vice President & General Manager,  
Utility and Construction Products

1235 Trevanion Street  
Pittsburgh, PA 15218

Lawrence F. Flaherty, Vice President, Total Quality & Technology  
15 Old Tree Farm Lane  
Trumbull, CT 06611

Raymond S. Ohlis, Jr., Vice President & Manager,  
Treated Wood Operations  
400 Glen Lake Drive  
Grenada, MS 38901

M. Claire Schaming, Treasurer & Assistant Secretary  
235 Camp Run Road  
Harmony, PA 15037

Clayton A. Sweeney, Secretary  
232 Thornberry Circle  
Pittsburgh, PA 15234

Donald N. Sweet, Jr., Vice President & General Manager,  
Coke & By-Products  
236 Somerset Drive  
Davenport, FL 33897

Donald P. Traviss, President & Chief Executive Officer  
2 Beaver Street  
Sewickley, PA 15143

Robert K. Wagner, President & Chief Executive Officer  
2000 Hycroft Drive  
Pittsburgh, PA 15241

David Whittle, Vice President, European Operations  
The Shrublands, Acer Grove  
Silica Lodge, Scunthorpe, N. Linsolnshire DN14 2AJ  
United Kingdom

Robert H. Wombles, Vice President, Technology  
105 Lantern Trail  
Midway, KY 40347

John C. Youts, Vice President & Chief Financial Officer  
152 St. Ives Way  
Zelienople, PA 16063

Directors:

Cynthia S. Baldwin 311 Arctic Circle McKeesport, PA 15132	2008
Brian C. Beazer The Weavers House Castle Combe Wiltshire SN14 7HX England	1989-1997
Donald V. Borst 12 Glen Lyon Court Phoenix, MD 21131	1992-1997
Robert Cizik 8839 Harness Creek Lane Houston, TX 77024	1999-2008
Charles P. Durkin, Jr. 142 E. 71st Street New York, NY 10021	1998-2000
George R. Fox, III Pietragallo, Bosick & Gordon One Oxford Centre Pittsburgh, PA 15219	1988-1989
David M. Hillenbrand 312 Habersham Street Savannah, GA 31401	1999-2008
Christian L. Oberbeck Two McPherson Drive Greenwich, CT 06830	1997-2008
Nicholas H. Prater 992 Shipwatch Drive East Jacksonville, FL 32225	1989-2002
James C. Stalder 1821 Woodlands Circle Pittsburgh, PA 15241-2671	2006-2008



Peter J. Statile Hanson North America, Inc. 581 Main Street Woodbridge, NJ 07095	1997
Clayton A. Sweeney 232 Thornberry Circle Pittsburgh, PA 15234	1988-2008
Donald P. Traviss 2 Beaver Street Sewickley, PA 15143	1994-1997
Walter W. Turner 296 Linden Road Canonsburg, PA 15317	1998-2008
Robert K. Wagner 2000 Hycroft Drive Pittsburgh, PA 15241	1988-2000
Brooks C. Wilson 49 Cherry Street Warrawee, New South Wales 02074	1989-1999
T. Michael Young 1618 Nantucket Drive Houston, TX 77057	2006-2008

- c. Koppers Inc. is a Pennsylvania corporation that was organized on October 21, 1988. At the time of its organization in 1988 the corporation was named Pittsburgh Acquisition Corporation, Inc. and was renamed Koppers Industries, Inc. in December 1988. Koppers Industries, Inc. changed its name on February 24, 2003 to its current name, Koppers Inc. Currently, Koppers Inc. is a publicly traded corporation listed on the New York Stock Exchange under the ticker symbol "KOP".
- d. None other than the Northwest Terminal operated by Koppers Inc.
- e. None

75. List all names under which your company or business has ever operated and has ever been incorporated. For each name, provide the following information:
- a. whether the company or business continues to exist, indicating the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale) if it is no longer in business.
  - b. names, addresses, and telephone numbers of all registered agents, officers, and operations management personnel; and
  - c. names, addresses, and telephone numbers of all subsidiaries, unincorporated divisions or operating units, affiliates, and parent corporations if any, of the Respondent.

**Response:**

- a. On December 28, 1988 Koppers Industries, Inc. (now Koppers Inc.) entered into an Asset Purchase Agreement with Koppers Company, Inc. (now known as Beazer East, Inc.) to purchase several (but not all) of the business divisions of Koppers Company, Inc. (now Beazer East, Inc.). Among the assets purchased in this transaction were the assets located at 7540 NW Saint Helens Road in Portland, Oregon as well as substantially all of the intellectual property rights in and to the "Koppers" tradename.

- b. The names, addresses, and phone numbers of all registered agents is as follows:

Corporation Service Company  
2704 Commerce Drive  
Harrisburg, PA 17110  
phone: 800-622-2300

and in Oregon:  
Corporation Service Company  
285 Liberty Street, NE  
Salem, OR 97301  
phone: 800-927-9800

The names, addresses and phone numbers of all operations management personnel are as follows: Amos Kamerer (deceased) - former plant manager

T J Turner, Terminal Manager 2007 - present  
7540 NW Saint Helens Road  
Portland, Oregon 97210  
phone: 503-286-3681

John Oxford, Terminal Manager  
  
1612 N.E. 131<sup>st</sup> Circle  
  
Vancouver, WA 98685

c. None

76. Provide all copies of the Respondent's authority to do business in Oregon. Include all authorizations, withdrawals, suspensions and reinstatements.

**Response:**

Koppers is providing a certificate of its authority to do business in Oregon and the certificate of name change. Koppers' authority to do business in Oregon has never been withdrawn or suspended.

77. If Respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship, including but not limited to:
- a. a general statement of the nature of relationship, indicating whether or not the affiliated entity had, or exercised, any degree of control over the daily operations or decision-making of the Respondent's business operations at the Site;
  - b. the dates such relationship existed;
  - c. the percentage of ownership of Respondent that is held by such other entity(ies);
  - d. for each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities, as well as the names and addresses of each such affiliated entity's officers, directors, partners, trustees, beneficiaries, and/or shareholders owning more than five percent of that affiliated entity's stock;
  - e. provide any and all insurance policies for such affiliated entity(ies) which may possibly cover the liabilities of the Respondent at each Property; and
  - f. provide any and all corporate financial information of such affiliated entities, including but not limited to total revenue or total sales, net income, depreciation,

total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets), and net worth.

**Response:**

Please see Response to Question 74(c). Although Koppers has never been a subsidiary of or owned by another corporation, certain assets owned by Koppers were previously owned by Beazer East, Inc. as discussed above.

78. If Respondent is a partnership, please describe the partnership and provide a history of the partnership's existence. Provide a list of all current and past partners of any status (e.g., general, limited, etc.) and provide copies of all documents that created, govern, and otherwise rules the partnership, including any amendments or modifications to any of the originals of such documents, and at least five years of partnership meeting minutes.

**Response:**

Not Applicable.

**Section 9.0 Compliance With This Request**

79. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:
- a. the name and current job title of all individuals consulted:
  - b. the location where all sources reviewed are currently reside; and
  - c. the date consulted.

**Response:**

All environmental, operations and legal files at Koppers Northwest Terminal were reviewed in preparation of responding to this request, as well as files kept at Koppers off-site records storage facility and Koppers corporate environmental and legal files.

- a. John P. Spicuzza, Environmental Resources Manager  
TJ Turner, Northwest Terminal Manager  
Cindy Laquinta, Paralegal  
Jason Christensen, Portland Office Manager  
Jim Dietz, Vice President European Operations (formerly the Operations Manager with responsibility for the Northwest Terminal)  
Patti Mittereder, Executive Assistant  
Mary Holland, Records Administrator
- b. Koppers Northwest Terminal

Koppers Inc. - Pittsburgh Environmental Department  
Koppers Inc. - Pittsburgh Legal Department  
Business Records Management - Off-site storage facility  
Koppers Carbon Materials & Chemicals

- c. These documents and individuals were consulted/reviewed in late August through early December 2008.
80. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous substances, waste, or materials to or from, each Property identified in response to Question 4.

**Response:**

See response to Question #38 above. Of the persons identified, Kevin Fitzgerald is the person with the longest history and greatest depth of knowledge of these matters.

81. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:
- a. the document retention policy between 1937 and the present;
  - b. the approximate date of destruction;
  - c. a description of the type of information that would have been contained in the documents;
  - d. the name, job title and most current address known by you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; the person(s) who would have been responsible for destroying the documents; and the person(s) who had and/or still have the originals or copies of these documents; and
  - e. the names and most current addresses of any person(s) who may possess documents relevant to this inquiry.

**Response:**

Koppers believes that since it has operated on the Property since 1988, some documents solicited may have been destroyed, as part of its routine records retention policy. However, no responsive documents have been destroyed since Koppers received this Information Request. A current copy of the document retention policy is being produced.

82. Provide a description of all records available to you that relate to all of the questions in this request, but which have not been included in your responses.

**Response:**

Koppers' counsel reviewed all documents for responsiveness. Those documents which were not considered responsive included equipment manuals, logs of daily site inspections, products shipped to customers including invoices and shipping documents, documents which summarized activities at other Koppers' plants, and safety training documents.

## INSTRUCTIONS

1. Answer Each Question Completely. Provide a separate answer to each question and subpart set forth in this Information Request. Please provide responses to all the questions in this Information Request for each Property identified in response to Question 4 of Section 2.0, when appropriate. For each Response clearly identify the Property or Properties to which the response applies. Incomplete, evasive, or ambiguous answers shall constitute failure to respond to this Information Request and may subject the Respondent to the penalties set out in the cover letter.
2. Response and Copies of Documents Must be on Paper (hard copy). Provide the responses to this Information Request and at least one copy of all requested documents on hard copy paper.

There is a Portland Harbor PRP search website:

(<http://yosemite.epa.gov/R10/CLEANUP.NSF/7d19cd587dff1eee8825685f007d56b7/75e7f27bd108f3eb88256f4a007ba018!OpenDocument>) that lists documents in the Superfund program's files related to certain facilities or parties. You do not need to provide a copy of a document that appears on the list if EPA has a complete copy. If a document is on EPA's list, you still must provide a complete Response to each question in this Information Request and, if necessary in order to completely respond to a Question, describe the content of any document in EPA's files in your Response.

You may also provide a second copy of the response electronically on a compact disc, if you choose, in Portable Document Format (PDF) format. If possible, further format large documents as follows;

- a. Bookmark documents longer than 10 pages for easier navigation (e.g., chapters);
- b. Ensure that file/document properties/initial view is for "bookmarks panel and page" if there are bookmarks.
- c. For document composed of multiple files, link together with a starter file that is less than 2 MB, i.e., the document's executive summary. The executive summary should have a bookmarks panel with bookmark links to the other files. Ensure that all files are saved to the same folder, rather than multiple folders so that the linkage is retained.
- d. Bookmarks to other files should indicate the name of that file (and size of that file, if over 1 MB).
- e. "Tag" the document for accessibility if this was not done by the source application (advanced/accessibility/tag).
- f. Enter document properties: 1) title, author (should be XXXX for EPA Region 10), 2) subject, and 3) keywords.

3. Number Each Answer. Number each answer with the number of the question to which it corresponds.
4. Provide the Best Information Available. Provide responses to the best of Respondent's ability, even if the information sought was never put down in writing or if the written documents are no longer available. Seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available to the Respondent will be considered noncompliance with this Information Request.
5. Identify Information Sources. For each question, identify all persons and documents relied upon for the answer.
6. Confidential Information. The information requested herein must be provided even though the Respondent may contend that it includes confidential information or trade secrets. The Respondent may assert a confidentiality claim covering part or all of the information requested, pursuant to 42 U.S.C. " 9604(e)(7)(E) and (F), and 40 C.F.R. ' 2.203(b). All information claimed to be confidential should be contained on separate sheet(s) and should be clearly identified as "trade secret" or "proprietary" or "company confidential." A confidentiality claim should be supported by the submission of information consistent with 40 C.F.R. Part 2. Information covered by a confidentiality claim will be disclosed by EPA only to the extent, and only by means of the procedures, provided in 40 C.F.R. " 2.201-2.311. If no such claim accompanies the information received by EPA, it may be made available to the public by EPA without further notice.
7. Disclosure to EPA Contractor. Information submitted in response to this Information Request may be disclosed by EPA to authorized representatives of the United States, pursuant to 40 C.F.R. 2.310(h), even if the Respondent asserts that all or part of it is confidential business information. EPA may provide this information to its contractors for the purpose of organizing and/or analyzing the information contained in the responses to this Information Request. If submitting information and asserting it is entitled to treatment as confidential business information, the Respondent may comment on EPA's intended disclosure within 14 days of receiving this Information Request.
8. Personal Privacy Information. Personnel and medical files, and similar files the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from responses, included on separate sheet(s), and marked as "Personal Privacy Information". Note, however, that unless prohibited by law, EPA may disclose this information to the general public without further notice.
9. Objections. The Respondent must provide responsive information notwithstanding objections to certain questions. To object without providing responsive information may subject Respondent to the penalties set out in the cover letter.



10. Privilege. If a privilege is asserted for any document responsive to this Information Request, identify (see Definitions) the document and provide the basis for assertion. If a privilege exists for only a portion of a document, provide the portion of the document that is not asserted be privileged, identify the portion that is asserted to be privileged, and provide the basis for asserting privilege. Please note that regardless of the assertion of any privilege, any facts contained in the document which are responsive to the Information Request must be disclosed in your response.
11. Declaration. The Respondent must complete the enclosed declaration, certifying the accuracy of all statements in your response.

### DEFINITIONS

All terms not defined herein shall have their ordinary meaning, unless such terms are defined in Section 101 of CERCLA, 42 U.S.C. ' 9601, *et seq.*, or Volume 40 of the Code of Federal Regulations (CFR), in which case such statutory or regulatory definitions shall apply.

The following definitions shall apply to the following words as they appear in this Enclosure:

1. The term "you" or "Respondent" shall mean the addressee of this Request, together with the addressee's officers, managers, agents, employees, contractors, trustees, successors, assigns, and any predecessor or successor corporations or companies.
2. The term Abusiness activities@ shall mean all actions, endeavors, ventures, or financing arrangements related in any manner whatsoever to the use and development of the Property, including surveying, sampling, grading, documentation, photography, demolition, construction, and waste disposal, and sales.
3. The terms "document" and "documents" shall mean any method of recording, storing, or transmitting information. "Document" shall include, but not be limited to:
  - a. writings of any kind, including, but not limited to, any of the following:
    - i. letters, memoranda, email or fax transmittals;
    - ii. any film, photograph, or sound recording on any type of device;
    - iii. meeting minutes, telephone records, notebooks;
    - iv. agreements and contracts;
    - v. reports to shareholders, management, or government agencies;
    - vi. transportation manifests;
    - vii. copies of any document;
    - viii. report, notices, analysis, notebook.

- b. any blueprints or drawings; and
  - c. attachments to, or enclosures with, any document.
4. The term "identify" means, with respect to a natural person, to set forth: (a) the person's full name, (b) present or last known business and home addresses and telephone numbers; and (c) present or last known employer (include full name and address) with job title, position, or business.
  5. The term "identify" means, with respect to a corporation, partnership, business trust, or other entity, to set forth: (a) its full name; (b) complete street address; (c) legal form (e.g., corporation, partnership, etc.); (d) the state under whose laws the entity was organized; and (e) a brief description of its business.
  6. The term "identify" means, with respect to a document, to provide: (a) its customary business description (e.g., letter, invoice); (b) its date; (c) its number if any (e.g., invoice or purchase order number); (d) the identity of the author, addressee, and/or recipient; and (e) a summary of the substance or the subject matter. Alternatively, Respondent may provide a complete copy of the document.
  7. The term "Investigation Area" refers to the area in and adjacent to the Willamette River in which EPA is currently conducting its PRP search and is bounded to the North by the confluence of the Columbia Slough, approximately River Mile 1.7 and bounded to the South at River Mile 12 and bounded to the East by a line following N Lombard St. to N Columbia Blvd. to Chimney Park to N. Commando Ave. to N Lombard St. to N Reno Ave. to N Edison St. to N Catlin Ave to N Decatur St. to N Baltimore Ave. to N Crawford St. to N Polk Ave. to N Willamette Blvd. to N Greeley Ave to N Interstate Ave. and bounded to the West by a line following NW Gillihan Rd. on Sauvie Island to Columbia River Hwy 30 to NW St. Helens Rd. to NW Nicolai St. to NW Vaughn St. to NW Thurman St. to NW 14th Ave. to NW Raleigh St. to NW 13th Ave. to NW Pettygrove St. to NW 12th Ave to NW Overton St. to NW 9th Ave. to NW Lovejoy St. to NW Broadway to NW Glisan St. Additionally, the area included between the Columbia River Hwy 30 and Forest Park is included in the definition of Investigation Area. See attached Investigation Area Map for a visual depiction of the Investigation Area.
  8. The term "material" or "materials" shall mean any and all raw materials, commercial products, wastes, oil, petroleum, chemicals, substances, or matter of any kind.
  9. The "period being investigated" and "the relevant time period" shall mean 1937 to present.
  10. The term "Property(ies)" shall refer to any and all real or personal property within the Portland Harbor Investigation Area that Respondent owns, leases, manages, operates, has an easement on, or otherwise has an affiliation, or previously owned, leased, managed, operated, had an easement on, or otherwise had an affiliation during the period being

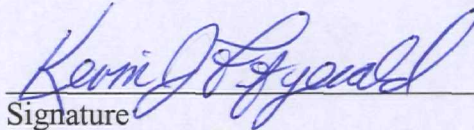
investigated. The term Property includes aquatic lands owned, leased, or otherwise controlled by Respondent. Please note that you must answer the Questions in this Information Request related to properties outside the Investigation Area if Question 4, Section 2.0 specifically instructs you to.

11. The term "waste" or "wastes" shall mean and include trash, garbage, refuse, by-products, solid waste, hazardous waste, hazardous substances, and pollutants or contaminants, whether solid, liquid, or sludge, including, but not limited to, containers for temporary or permanent holding of wastes, building debris and asbestos-containing material.

## DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of Koppers Inc. and that the foregoing is complete, true, and correct.

Executed on 1-15, 2009.

A handwritten signature in blue ink, appearing to read "Kevin J. Fitzgerald", is written over a horizontal line.

Signature

Printed: Kevin Fitzgerald

Title: Senior Vice President, Global Carbon  
Materials and Chemicals